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10/824,809

04/15/2004

Cliff Daniel Cyphers

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EXAMINER

WANG, JUE S

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/824,809	Applicant(s) CYPHERS, CLIFF DANIEL	
	Examiner JUE S. WANG	Art Unit 2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,7,10,12-14 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,7,10,12-14 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 3, 5, 7, 10, 12-14, and 20 have been examined.
2. Claims 2, 4, 6, 8, 9, 11, and 15-19 were cancelled in Amendment dated 11/26/2007.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 20 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

5. Claim 20 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In claim 20, an “apparatus” is recited; however, it appears that the apparatus would reasonably be interpreted by one of ordinary skill in the art as software, per se, since the means for creating, recording, extracting, accepting, searching, replacing, archiving, and determining would reasonably be interpreted by one of ordinary skill in the art as software, per se. As such, it is believed that the apparatus is reasonably interpreted as functional descriptive material, per se, failing to be tangibly embodied or include any recited hardware and thereby fit that statutory category of invention.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kronenberg et al. (US 6,405,265 B1, hereinafter Kronenberg), in view of Funduc, “Search and Replace for Windows”.

8. As per claim 1, Kronenberg teaches the invention as claimed, including a method for updating an archive file content comprising:

creating a temporary directory (see column 2, lines 61-63; EN: the virtual folder is the temporary directory);

recording an archive file structure of the archive file in a structure file in the temporary directory (see column 3, lines 45-52, column 4, lines 19-21; EN: the central directory is the file structure recorded);

decompressing archive file content from the archive file into an extracted archive file in the temporary directory (see Fig 5, step 516, column 1, lines 39-43, column 5, lines 1-7);

updating the archive file content (see Fig 5, column 4, line 47 – column 5, line 25);

archiving the archive file content according to the archive file structure in the structure file (see column 2, lines 55-60, column 5, lines 18-23, 66-67);

wherein the archive file is an archived form of the archive file content (see column 5, lines 18-21);

wherein the archive file structure is the order and arrangement of a compressed archive file content within the archive file (see column 3, lines 48-49, column 4, lines 19-21);

wherein the data within the archive file is changed and wherein the structure remains the same before and after the data is changed (see column 3, line 64 – column 4, line 14, column 5, lines 14-23; EN: the central directory is an indexed listing of the files of the archive, so when the only operation performed is to write additional data to a file that originally existed in the archive, the central directory remains unchanged since the listing of files did not change).

Kronenberg does not explicitly teach copying an archive file into the temporary directory. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to copy the archive file into the temporary directory because Kronenberg teaches that using RAM to house files is a fast and efficient method for file manipulation (see column 5, lines 33-37), so extracting files from a copy of the archive file already in the temporary directory will be faster than extracting files from the original copy of the archive file in the storage device.

Kronenberg does not teach accepting a user specification of an old value and a new value; searching the archive file content for the old value; and replacing the old value with the new value.

Funduc teaches a method of accepting a user specification of an old value and a new value; searching archive file content for the old value; and replacing the old value with the new value (see pages 1 and 2).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kronenberg to modify the decompressed archive file content by accepting a user specification of an old value and a new value; searching the archive file content for the old value; and replacing the old value with the new value as taught by Funduc because search and replace is a well known feature to facilitate faster editing.

9. As per claim 7, this is the program product claim of claim 1. Therefore, it is rejected using claim 1.

10. Claims 3, 5, 10, 12-14, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kronenberg et al. (US 6,405,265 B1, hereinafter Kronenberg), in view of Funduc, "Search and Replace for Windows", as applied to claims 1 and 7 above, further in view of Chan et al. (US 2002/0129053 A1, hereinafter Chan).

11. As per claim 3, Funduc teaches accepting user specification of an archive file and searching for the old value only in the archive file specified by the user (see pages 1 and 2).

Funduc does not teach accepting a user specification of a field, searching in the field for the old value, wherein the field is a data position within the archive file content.

Chan teaches a search and replace feature for excel sheets that accepts a user specification of a file and a field; and searching for the old value only in the file and the field specified by the user, where the field is a data position within the file (see Fig 13, abstract, lines

1-4, [0042], and [0043]; EN: the “Within” option (Fig 13, item 308) specifies a worksheet to search in which is a file, and the “Look in” option (Fig 13, item 312) specifies the field).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kronenberg and Funduc to accept a user specification of a file and a field and searching for the old value only in the file and the field specified by the user where the field is a data position within the file as taught by Chan because it provides the user greater control over where the search and replace operation should occur so that when a user is searching for a particular term, the user can limit the multiple instances of the term to reach the particular instanced desired (see [0003] of Chan).

12. As per claim 5, Funduc teaches determining if the user desires to update another value; and responsive to the determination that the user desires to update another value; accepting a user specification of another old value and another new value (see pages 1 and 2; EN: while Funduc does not explicitly teach as such, it is well know in the art that entering new values in the “Find What” and “Replace With” fields and pressing the “Replace” button will indicate that the user desired to update another value and the search and replace function will accept the old value and the new value).

13. As per claims 10 and 12, these are program product claims of claims 3 and 5. Therefore, they are rejected using the same reasons as claims 3 and 5.

14. As per claim 13, Funduc teaches using a graphical user interface, replace the old value with the new value, wherein the graphical user interface comprises: a file specification section containing a file located in the a field specification section containing a field located in the file; an old value specification section containing the old value located in the file, a new values specification section containing a new value (see page 2).

Funduc does not teach accepting a user specification of a field, searching in the field for the old value, wherein the field is a data position within the archive file content.

Chan teaches a search and replace feature for excel sheets that accepts a user specification of a file and a field; and searching for the old value only in the file and the field specified by the user, where the field is a data position within the file (see Fig 13, abstract, lines 1-4, [0042], and [0043]; EN: the “Within” option (Fig 13, item 308) specifies a worksheet to search in which is a file, and the “Look in” option (Fig 13, item 312) specifies the field).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kronenberg and Funduc to accept a user specification of a file and a field and searching for the old value only in the file and the field specified by the user where the field is a data position within the file as taught by Chan because it provides the user greater control over where the search and replace operation should occur so that when a user is searching for a particular term, the user can limit the multiple instances of the term to reach the particular instanced desired (see [0003] of Chan).

15. As per claim 14, Kronenberg and Funduc do not teach a values updated section; and wherein the values updated section records the history of the replacement of the old values by the new values.

Chan does not explicitly teach a values updated section; and wherein the values updated section records the history of the replacement of the old values by the new values. However, Chan teaches a dropdown button that lists previous searches entered into the find what field (see Fig 13, item 214, [0035], [0073]) and the replace with field has a similar dropdown button (see Fig 13). Therefore, while Chan does not explicitly include a values updated section in its GUI, the combination of the dropdown buttons for the find what field and the replace with field performs the functionality of the values updated section.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kronenberg and Funduc such that the GUI has a values updated section; and wherein the values updated section records the history of the replacement of the old values by the new values as taught by Chan because a user may quickly select a previous search term and replace term and perform search and replace for those term again (see [0035] of Chan).

16. As per claim 20, Kronenberg teaches the invention as claimed, including an apparatus for updating an archive file content comprising:

means for creating a temporary directory (see column 2, lines 61-63; EN: the virtual folder is the temporary directory);

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means for recording an archive file structure of the archive file in a structure file in the temporary directory (see column 3, lines 45-52, column 4, lines 19-21; EN: the central directory is the file structure recorded);

means for decompressing archive file content from the archive file into an extracted archive file in the temporary directory (see Fig 5, step 516, column 1, lines 39-43, column 5, lines 1-7);

means for updating the archive file content (see Fig 5, column 4, line 47 – column 5, line 25);

means for archiving the archive file content according to the archive file structure in the structure file (see column 2, lines 55-60, column 5, lines 18-23, 66-67);

wherein the archive file is an archived form of the archive file content (see column 5, lines 18-21);

wherein the archive file structure is the order and arrangement of a compressed archive file content within the archive file (see column 3, lines 48-49, column 4, lines 19-21);

wherein the data within the archive file is changed and wherein the structure remains the same before and after the data is changed (see column 3, line 64 – column 4, line 14, column 5, lines 14-23; EN: the central directory is an indexed listing of the files of the archive, so when the only operation performed is to write additional data to a file that originally existed in the archive, the central directory remains unchanged since the listing of files did not change).

Kronenberg does not explicitly teach copying an archive file into the temporary directory. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to copy the archive file into the temporary directory because Kronenberg teaches that

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using RAM to house files is a fast and efficient method for file manipulation (see column 5, lines 33-37), so extracting files from a copy of the archive file already in the temporary directory will be faster than extracting files from the original copy of the archive file in the storage device.

Kronenberg does not teach accepting a user specification of an old value and a new value; searching the archive file content for the old value; and replacing the old value with the new value.

Funduc teaches a method of accepting a user specification of an old value and a new value; searching archive file content for the old value; and replacing the old value with the new value (see pages 1 and 2).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kronenberg to modify the decompressed archive file content by accepting a user specification of an old value and a new value; searching the archive file content for the old value; and replacing the old value with the new value as taught by Funduc because search and replace is a well known feature to facilitate faster editing.

Kronenberg and Funduc do not teach accepting a user specification of a field, searching in the field for the old value, wherein the field is a data position within the archive file content.

Chan teaches a search and replace feature for excel sheets that accepts a user specification of a file and a field; and searching for the old value only in the file and the field specified by the user, where the field is a data position within the file (see Fig 13, abstract, lines 1-4, [0042], and [0043]; EN: the “Within” option (Fig 13, item 308) specifies a worksheet to search in which is a file, and the “Look in” option (Fig 13, item 312) specifies the field).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kronenberg and Funduc to accept a user specification of a file and a field and searching for the old value only in the file and the field specified by the user where the field is a data position within the file as taught by Chan because it provides the user greater control over where the search and replace operation should occur so that when a user is searching for a particular term, the user can limit the multiple instances of the term to reach the particular instanced desired (see [0003] of Chan).

Response to Arguments

17. Rejection of claims 7, 13-20 under 35 U.S.C. §101:

18. The rejection of claims 7, 10, 12-14 under 35 USC §101 has been overcome by Applicant's amendment. The rejection of claim 20 under 35 U.S.C. 101 is maintained because the apparatus is still reasonably interpreted as functional descriptive material, per se, failing to be tangibly embodied or include any recited hardware and thereby fit that statutory category of invention.

19. Rejection of claims 1, 7, and 20 under 35 U.S.C. §103(a):

20. As per claims 1, 7, and 20, Applicant argued that none of the cited references disclose the limitations "recording an archive file structure of the archive file in a structure file in the temporary directory", "decompressing the archive file content from the archive file into an

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extracted archive file in the temporary directory”, “archiving the archive file content according to the archive file structure in the structure file”, and “wherein the data within the archive file is changed and wherein the archive file structure remains the same before and after the data is changed”. Applicant’s argument has been fully considered and Examiner respectfully disagrees. Examiner submits that Kronenberg teaches these limitations as discussed in the rejections of claims 1, 7, and 20 above.

Conclusion

21. Applicants’ amendment necessitated the new ground(s) of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP §706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jue S. Wang whose telephone number is (571) 270-1655. The examiner can normally be reached on M-Th 7:30 am - 5:00pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis Bullock can be reached on 571-272-3759. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lewis A. Bullock, Jr./
Supervisory Patent Examiner, Art Unit 2193

Jue Wang
Examiner
Art Unit 2193